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DATE FILED: 10/25/24UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
BRIAN JOSEPH GARRIO,

Petitioner

v.

UNITED STATES OF AMERICA,

Respondent.  
-----X**ORDER**

24 CV 5504 (VB)

21 CR 419 (VB)

On October 21, 2024, the Court received petitioner Garrio's reply in support of his Section 2255 motion. (Doc. # 63)<sup>1</sup>. In his reply, petitioner states, among other things, "contrary to the government's belief; I did seek to withdraw my plea but it was intervened by Margaret Shalley." (*Id.* at 9). Because this allegation was not previously raised in the original petition (Doc. # 52) or in petitioner's subsequent letters (Docs. # 55, 56, 57, 61, 62), by November 8, 2024, the government is directed to respond to this new allegation. If petitioner wishes to file a reply to the government's response, he must do so by December 2, 2024.

Dated: October 25, 2024  
White Plains, NY

SO ORDERED:

Vincent L. Briccetti  
United States District Judge

<sup>1</sup> "Doc. # \_" refers to filings on the criminal docket, 21 CR 419 (VB).